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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/267,631	03/15/1999	MASASHI AONUMA	Q53632	7331

7590 06/24/2004  
SUGHRUE MION ZINN MACPEAK & SEAS  
2100 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20037

EXAMINER

LAMB, TWYLER MARIE

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/267,631

Applicant(s)

AONUMA ET AL.

Examiner

Twyler M. Lamb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4,9-14,19-21 and 36-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4,9-14,19-21 and 36-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Election/Restrictions***

2. Applicant's election without traverse of claims 1-4, 11-14 and 21 in Paper No. 7 is acknowledged.

Applicant also requested that claims 9-10 and 19-20 be included in Group I.

Examiner acknowledges this request.

The non-elected claims 5-8, 15-18 and 22-35 have been canceled.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

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Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-2, 9, 11-12, 19, 21, 36-39 and 44-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Endo et al. (Endo) (US 6,335,796).

With regard to claims 1, 11 and 21, Endo discloses an interfacing method, wherein a plurality of network printers (laser printers 6 -8; printers 56-58), which are provided with different kinds of film for image reproduction (col 4, line 4, line 61 – col 5, line 12; col 9, lines 48-51), are connected by an interface unit (Interface 13; Interface 66) (col 4, lines 53-60; col 9, line 63 – col 10, line 3) to an image information network (LAN 5; LAN 55) (col 4, lines 24-38; col 9, lines 48-51), the method comprising the steps of: i) recognizing available kinds of film with respect to each of the network printers, which are connected to the interface unit (col 4, line 61 – col 5, line 51), ii) selecting a network printer, which is among the plurality of the network printers and which corresponds to a kind of film coinciding with an output request, in accordance with the results of said recognition (col 6, lines 14-51), and iii) giving an output instruction, which coincides with said output request, to the thus selected network printer (col 6, lines 1-13).

With regard to claims 2 and 12, Endo also discloses wherein, in cases where there is no network printer, which corresponds to the kind of film coinciding with said output request (which reads on some of the printers not being available and some film sizes not available) (col 4, line 61 – col 5, line 67), a network printer (printer 6), which corresponds to the kind of film closest to the kind of film coinciding with said output

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request, is selected as the network printer (col 6, lines 7-13), which corresponds to the kind of film coinciding with said output request, and an output instruction, which specifies said closest kind of film, is given as said output instruction, which coincides with said output request, to the thus selected network printer (col 6, lines 1-13).

With regard to claims 9 and 19, Endo also discloses wherein, in cases where each of the network printers connected to the interface unit is designed to send a monitor signal, which represents a state concerning output, in accordance with a special-purpose protocol (col 4, line 4, line 61 – col 5, line 12; col 9, lines 48-51), and each of a plurality of terminals, which constitute the image information network, is provided with general-purpose displaying software functions and operates under management with one of plural kinds of operating systems having different forms, said monitor signal having been sent in accordance with said special-purpose protocol is converted into a signal according to a protocol, which is adapted to displaying with said displaying software functions (col 4, lines 23-30; col 4, lines 39 – col 6, line 14).

With regard to claims 36-39, Endo also discloses wherein the kind of film is defined by a film size (col 5, lines 1-12).

With regard to claims 44-51, Endo also discloses wherein the selection of a network printer is based on the output request is automated (col 4, line 61 – col 5, line 51).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-4, 13-14 and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (Endo) (US 6,335,796) in view of Mori (US 6,070,000).

With regard to claims 3 and 13, Endo discloses an interfacing method, wherein a plurality of network printers (laser printers 6 -8; printers 56-58), which are provided with different kinds of film for image reproduction (col 4, line 61 – col 5, line 12; col 9, lines 48-51), are connected by an interface unit (Interface 13; Interface 66) (col 4, lines 53-60; col 9, line 63 – col 10, line 3) to an image information network (LAN 5; LAN 55) (col 4, lines 24-38; col 9, lines 48-51), the method comprising the steps of: i) recognizing available kinds of film with respect to each of the network printers, which are connected to the interface unit (col 4, line 4, line 61 – col 5, line 51), ii) selecting a network printer, which is among the plurality of the network printers and which corresponds to a kind of film coinciding with an output request, in accordance with the results of said recognition (col 6, lines 14-51), and iii) giving an output instruction, which coincides with said output request, to the thus selected network printer (col 6, lines 1-13).

Endo does not teach wherein at least one network printer among a plurality of network printers is connected by each of at least two interface units to an image information network; sending information, which represents the results of said recognition, to the other interface unit.

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Mori discloses a printing method that includes at least one network printer among a plurality of network printers is connected by each of at least two interface units to an image information network (col 3, lines 40-48); sending information, which represents the results of said recognition, to the other interface unit (col 4, lines 1-14).

There fore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Endo to include wherein at least one network printer among a plurality of network printers is connected by each of at least two interface units to an image information network; sending information, which represents the results of said recognition, to the other interface unit as taught by Mori. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Endo by the teaching of Mori to provide the user with optional printers to print the data as taught by Mori in col 4, lines 1-26.

With regard to claims 4 and 14, Endo as modified also discloses wherein, in cases where there is no network printer, which corresponds to the kind of film coinciding with said output request (which reads on some of the printers not being available and some film sizes not available) (col 4, line 61 – col 5, line 67), a network printer (printer 6), which corresponds to the kind of film closest to the kind of film coinciding with said output request, is selected as the network printer (col 6, lines 7-13), which corresponds to the kind of film coinciding with said output request, and an output instruction, which specifies said closest kind of film, is given as said output instruction, which coincides with said output request, to the thus selected network printer (col 6, lines 1-13).

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With regard to claims 40-42 Endo does not teach wherein the kind of film is defined by a film base color.

Mori also discloses wherein the kind of film is defined by a film base color (col 5, lines 10-32).

There fore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Endo to include wherein at least one network printer among a plurality of network printers is connected by each of at least two interface units to an image information network; sending information, which represents the results of said recognition, to the other interface unit as taught by Mori. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Endo by the teaching of Mori to provide the user with optional printers to print the data as taught by Mori in col 4, lines 1-26.

7. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (Endo) (US 6,335,796) in view of McCormack et al. (McCormack) (US 6,295,527).

With regard to claims 10 and 20, Endo does not clearly teach wherein said special-purpose protocol is a Simple Network Management Protocol, said displaying software functions is a World Wide Web browser, and said protocol adapted to displaying with said displaying software functions is a HyperText Transfer Protocol.

McCormack discloses a network management system that includes wherein said special-purpose protocol is a Simple Network Management Protocol (col 1, lines 36-50),



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said displaying software functions is a World Wide Web browser (col 6, lines 34-41), and said protocol adapted to displaying with said displaying software functions is a HyperText Transfer Protocol (col 5, lines 41-61).

There fore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Endo to include wherein said special-purpose protocol is a Simple Network Management Protocol, said displaying software functions is a World Wide Web browser, and said protocol adapted to displaying with said displaying software functions is a HyperText Transfer Protocol as taught by McCormack. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Endo by the teaching of McCormack to monitor the status of devices in a network as taught by McCormack in col 1, lines 36-50.

### ***Response to Arguments***

8. Applicant's arguments filed 4/5/04 have been fully considered but they are not persuasive.

Applicant argues that Endo does not show where the interfaces 13 and 66 is connected to Printers and that the recited steps not being performed in the interfaces

Endo states that the CPU checks the state of the printers via the I/F 13 and LAN 5, and that in order to comprehend the current available film sizes of the printers connected to the network.... (note: col 5, lines 19-46).

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***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler Lamb whose telephone number is 703 - 308-8823. The examiner can normally be reached on M-TH (8:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-308-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9314 for After Final communications.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two

2121 Crystal Drive

Arlington, VA.

Sixth Floor (Receptionist)

Twyler Lamb

A handwritten signature in black ink, appearing to be 'Twyler Lamb', with a stylized, flowing script.

June 23, 2004